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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ANDREW PERRONG, individually and on
behalf of all others similarly situated,

Case No.: 2:19-cv-00115-RFB-GWF

Plaintiff

VS.

SPERIAN ENERGY CORP, a Nevada corporation, and ENERGY GROUP CONSULTANTS, INC., a Kansas corporation,

Defendants.

**STIPULATION AND ORDER TO
RESOLVE PLAINTIFF'S MOTION TO
COMPEL ENERGY GROUP
CONSULTANTS, INC. TO GATHER
RECORDS FROM THEIR VENDOR
TO AVOID THE DESTRUCTION OF
RECORDS THAT IDENTIFY
PUTATIVE CLASS MEMBERS [ECF
NO. 20]**

Defendant Energy Group Consultants, Inc. (“Defendant”) and Plaintiff Andrew Perrong (“Plaintiff” and together with Plaintiff, the “Parties”), by and through their respective counsel, enter into this Stipulation based on the following:

1. On April 19, 2019, Plaintiff filed its Motion to Compel Energy Group Consultants, Inc. to Gather Records From Their Vendor to Avoid the Destruction of Records That Identify Putative Class Members (ECF No. 20) (“Motion”). The Motion sought to preserve records in the possession of third-party vendor, G-Energy Enterprises.

2. On May 3, 2019, Defendant filed its Response to the Motion to Compel (ECF No. 33).

NOW, THEREFORE, the Parties agree and stipulate that:

1 A. Defendant shall file its responsive pleading to the Amended Complaint on or before
 2 May 28, 2019;

3 B. Defendant will file a third-party claim against G-Energy Enterprises;

4 C. The Parties waive any right to seek attorneys' fees and costs associated with the
 5 Motion or responding to the Motion; and

6 D. This Stipulation shall resolve the Motion, and the related hearing on May 22, 2019
 7 shall be vacated.

8 Dated: May 7, 2019

9 SNELL & WILMER L.L.P.

11 By: /s/ Blakeley E. Griffith

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8 Dated: May 7, 2019

11 By: /s/Anthony I. Paronich

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21 **ORDER**

22 IT IS HEREBY ORDERED that Plaintiff's Motion to Compel Energy Group Consultants,
 23 Inc. to Gather Records From Their Vendor to Avoid the Destruction of Records That Identify
 Putative Class Members is hereby resolved.

25 IT IS FURTHER ORDERED that Defendant shall file its responsive pleading to the
 26 Amended Complaint on or before May 28, 2019, and the Parties waive any right to seek attorneys'
 27 fees and costs associated with the Motion or responding to the Motion.

1 IT IS FURTHER ORDERED that the hearing scheduled on May 22, 2019 on the Motion is
2 vacated.

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4 DATED this 9th day of May 2019.



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6 UNITED STATES MAGISTRATE JUDGE
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